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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Morishita et al.

Art Unit: 1635

Application No. 09/869,475

CERTIFICATE OF MAILING

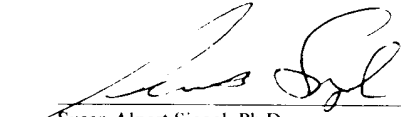
Filed: June 28, 2001

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service on July 17, 2002, as First Class Mail in an envelope addressed to: COMMISSIONER FOR PATENTS, WASHINGTON D.C. 20231.

For: GENE THERAPY FOR DIABETIC ISCHEMIC DISEASE

Examiner: Brian A. Whiteman

Date: July 17, 2002


Susan Alpert Siegel, Ph.D.
Agent for Applicant

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Enclosed for filing in the application referenced above are the following:

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- Information Disclosure Statement
 - Form 1449 and references cited thereon
 - IDS Fee of \$180.00
- Small entity status is claimed for this application.
- The Director is hereby authorized to charge any additional fees that may be required, or credit over-payment, to Deposit Account No. 02-4550. A copy of this sheet is enclosed.
- Please return the enclosed postcard to confirm that the items listed above have been received.

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Respectfully submitted,

KLARQUIST SPARKMAN, LLP

One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204
Telephone: (503) 226-7391
Facsimile: (503) 228-9446

By 
Susan Alpert Siegel, Ph.D.
Registration No. 43,121

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cc: Docketing

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WDN/SAS:jam 09/23/02 6235-59221 142104

PATENT
Attorney Reference Number 6235-59221

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Morishita and Ogihara

Art Unit: 1635

Application No.: 09/869,475

Filed: June 28, 2001

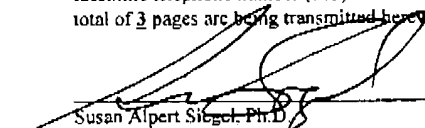
For: GENE THERAPY FOR DIABETIC
ISCHEMIC DISEASE

Examiner: Brian Whiteman

Date: September 23, 2002

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence and any documents referred to as being transmitted herewith are being facsimile transmitted to Examiner Brian Whiteman, U.S. Patent and Trademark Office at facsimile telephone number (703) 746-5024 on September 23, 2002. A total of 3 pages are being transmitted herewith.


Susan Alpert Siegel, Ph.D.
Agent for Applicant

TRANSMITTAL LETTER

COMMISSIONER FOR PATENTS
Washington, D.C. 20231


Attached are copies of an Information Disclosure Statement and PTO-1449 Form which were submitted to the U.S. Patent and Trademark Office on July 17, 2002 in connection with the above-identified patent application. These documents are being transmitted pursuant to Examiner Brian Whiteman's telephone request of September 20, 2002. Applicants thank the Examiner for the telephone conference of September 20, 2002.

Applicants believe that no additional fees are due. However, in the unlikely event that further fees are required, please charge Deposit Account No. 02-4550.

Respectfully submitted,

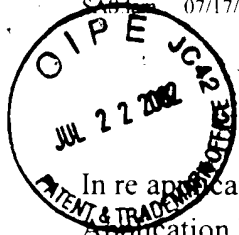
KLARQUIST SPARKMAN, LLP

By


Susan Alpert Siegel, Ph.D.
Registration No. 43,121

One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204
Telephone: (503) 226-7391
Facsimile: (503) 228-9446

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Art Unit: 1635

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For: GENE THERAPY FOR DIABETIC ISCHEMIC DISEASE

Examiner: Brian A. Whiteman

Date: July 17, 2002

Susan Alpert Siegel, Ph.D.
Agent for Applicant

INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. § 1.97(b)(3)

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WASHINGTON, DC 20231

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Sir:

Listed on the accompanying form PTO-1449 and enclosed herewith are several English-language documents. Applicants respectfully request that these documents be listed as references cited on the issued patent.

Pursuant to 37 C.F.R § 1.98 (c), a copy of PCT WO 01/32220 is not included herewith because it is substantively cumulative of the enclosed European Patent Application EP 1142590(A1). For the Examiner's convenience a copy of Abstract of WO 01/32220 is included.

Applicants filed this Information Disclosure Statement ("IDS") before the mailing date of a first Office action on the merits. As a result, no fee should be required to file this IDS. However, if the Patent Office determines that a fee is required for Applicants to file this Information Disclosure Statement, please charge any such fees, or credit overpayment, to Deposit Account No. 02-4550. A **duplicate** copy of this Information Disclosure Statement is enclosed.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204
Telephone: (503) 226-7391
Facsimile: (503) 228-9446

By _____
Susan Alpert Siegel, Ph.D.
Registration No. 43,121